

**From:** [Chip Humphrey](#)  
**To:** [James McKenna](#)  
**Cc:** [Burt Shephard](#); [Jennifer Woronets](#); [Kristine Koch](#); [Lori Cora](#); [Patty Dost](#); [rjw@nwnatural.com](#)  
**Subject:** RE: EPA Comments on Draft Final BERA; Request for Extension to Invoke Dispute  
**Date:** 02/13/2013 05:18 PM

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thanks Jim - we're looking forward to wrapping this up by April 1st

▼ James McKenna ---02/13/2013 05:01:41 PM---Chip, Your email below set February 13th as the LWG deadline to invoke dispute on EPA's BERA comment

From: James McKenna <jim.mckenna@verdantllc.com>  
To: Chip Humphrey/R10/USEPA/US@EPA  
Cc: Jennifer Woronets <jworonets@anchorqea.com>, Kristine Koch/R10/USEPA/US@EPA, Patty Dost <pdost@pearllegalgroup.com>, "rjw@nwnatural.com" <rjw@nwnatural.com>, Burt Shephard/R10/USEPA/US@EPA, Lori Cora/R10/USEPA/US@EPA  
Date: 02/13/2013 05:01 PM  
Subject: RE: EPA Comments on Draft Final BERA; Request for Extension to Invoke Dispute

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Chip,

Your email below set February 13<sup>th</sup> as the LWG deadline to invoke dispute on EPA's BERA comments (i.e., comments received by LWG on December 21, 2012 and January 11, 2013). Through a series of meetings and communications between the LWG and EPA over the past 6 weeks we feel we have resolved all of the comments in an acceptable manner. We appreciate the time and effort you and your team have spent with us to collaboratively resolve these comments. Based on these resolutions the LWG will not invoke dispute on the EPA comments on BERA.

Please call me if you have any questions.

Thanks,

Jim McKenna  
Verdant Solutions, LLC  
5111 SE 41<sup>st</sup> Avenue  
Portland, Oregon 97202  
Office: (503) 477-5593  
Cell: (503) 309-1621  
[jim.mckenna@verdantllc.com](mailto:jim.mckenna@verdantllc.com)

**From:** [Humphrey.Chip@epamail.epa.gov](mailto:Humphrey.Chip@epamail.epa.gov) [mailto:[Humphrey.Chip@epamail.epa.gov](mailto:Humphrey.Chip@epamail.epa.gov)]  
**Sent:** Friday, January 18, 2013 4:19 PM  
**To:** James McKenna  
**Cc:** [Jennifer Woronets](mailto:Jennifer.Woronets@epamail.epa.gov); [Koch.Kristine@epamail.epa.gov](mailto:Koch.Kristine@epamail.epa.gov); [Patty Dost](mailto:Patty.Dost@epamail.epa.gov); [rjw@nwnatural.com](mailto:rjw@nwnatural.com); [Shephard.Burt@epamail.epa.gov](mailto:Shephard.Burt@epamail.epa.gov); [Cora.Lori@epamail.epa.gov](mailto:Cora.Lori@epamail.epa.gov)  
**Subject:** Re: EPA Comments on Draft Final BERA; Request for Extension to Invoke Dispute

Jim

EPA approves the LWG's request for extension of the deadline to invoke dispute on EPA's BERA comments from January 29th to February 13th. We appreciate your the quick review and initial feedback on our January 11, 2013 letter, and look forward to making significant progress

at the meeting that is being scheduled for January 18th.

Chip Humphrey  
EPA

▼  
yv+LAH8AAAAAASW5hY3RpdmUgaGlkZSBkZXRhaWxzIGZvciBKlYw1lcyBNY0tIbm5hIC0tLTAxLzE4LzlwMTMgMDg6NDU6MTcgQU0tLS1DaGlwIGFuZCBLcmIzdGluZSwgUGVvYIENoaXAncyBlbWFPbCBvZiBEZWNIbWJlciAyMSwgMjAxMiwgdA== James McKenna ---01/18/2013 08:45:17 AM---  
Chip and Kristine, Per Chip's email of December 21, 2012, the comments we received January 11, 2013

From: James McKenna <[jim.mckenna@verdantllc.com](mailto:jim.mckenna@verdantllc.com)>  
To: Chip Humphrey/R10/USEPA/US@EPA, Kristine Koch/R10/USEPA/US@EPA  
Cc: Jennifer Woronets <[jworonets@anchoragea.com](mailto:jworonets@anchoragea.com)>, "rjw@nwnatural.com" <[rjw@nwnatural.com](mailto:rjw@nwnatural.com)>, Patty Dost <[pdost@pearllegalgroup.com](mailto:pdost@pearllegalgroup.com)>  
Date: 01/18/2013 08:45 AM  
Subject: EPA Comments on Draft Final BERA; Request for Extension to Invoke Dispute

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Chip and Kristine,

Per Chip's email of December 21, 2012, the comments we received January 11, 2013 from EPA on final draft BERA have a notice of dispute deadline of January 29, 2013. The LWG has conducted an initial review of EPA's comments and shared and discussed our initial thoughts with you on January 15, 2013 (including how changes to the Executive Summary and Section 11 may impact other sections of the BERA). We look forward to working cooperatively with your team to finalize the necessary changes to the BERA that are acceptable to both the EPA and LWG. However, to do so will likely take longer than the current 14-day window to notice dispute.

Therefore, the LWG is requesting an extension of the deadline to notice dispute from January 29<sup>th</sup> to February 13<sup>th</sup>. Please let me know if this is acceptable to EPA.

Thanks,

Jim McKenna  
Verdant Solutions, LLC  
5111 SE 41<sup>st</sup> Avenue  
Portland, Oregon 97202  
Office: (503) 477-5593  
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